

**United States District Court**  
**EASTERN DISTRICT OF TEXAS**  
**MARSHALL DIVISION**

UNITED STATES OF AMERICA

§

V.

§

CASE NO. 2:06CR18(1)

§

THOMAS BURNS

§

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND  
FINDING DEFENDANT GUILTY**

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Charles Everingham IV regarding Defendant's plea of guilty to Count 1 of an Indictment in violation of Title 18, U.S.C., Section 641, Theft of Government Property. Having conducted a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Magistrate Judge recommends that the Court accept the guilty plea of the Defendant. Objections to the Findings of Fact and Recommendation have been waived by all parties. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed April 19, 2007, are hereby ADOPTED.

It is further ORDERED that, pursuant to Defendant's plea agreement, the Court finds Defendant GUILTY of Count 1 of the Indictment in the above-numbered cause.

SIGNED this 11th day of May, 2007

  
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T. JOHN WARD  
UNITED STATES DISTRICT JUDGE